

**REMARKS**

Claims 3, 4, 7-10, 12, and 14-22 are currently pending in the application; with claims 3, 4, 7, 9, 12, 14, 15, 18, 19, 21, and 22 being independent. Claim 15 has been amended to more appropriately define the present invention. Applicants respectfully request favorable consideration in light of the claim amendments and comments presented herein and earnestly seek timely allowance of the pending claims.

***Allowable Subject Matter***

In the outstanding Office Action, the Examiner maintained that claims 3, 7-10, and 14 were directed to allowable subject matter. Applicants wish to thank the Examiner for the indication of allowable subject matter.

***Claim Rejections – 35 USC §102***

The Office Action indicated that claims 15-17 are rejected under 35 USC §102(e) as being anticipated by US Patent No. 6,584,463 to Morita et al. (“Morita”). Applicants disagree and respectfully traverse this rejection.

Morita merely discloses a video displaying method for displaying contents of video files. Each video file is composed of a plurality of images. The video displaying method includes the steps of extracting, from one of the video files, a plurality of images at predetermined intervals from the images composing the video file; displaying the extracted images on the display unit in response to a selection of one image from the display images, reproducing the video file

including the selected image beginning at a position of the selected image in the video file, and displaying the reproduced video file on the display unit. (Abstract.) Specifically, Morita discloses a multi-icon producing algorithm which arranges M extracted still images in the order of a time axis to form one still image file, and displays a multi-icon presentation by using the still image file. Fig. 8 shows the display device 100, the interactive video file searching window 10, the browsing window 11, a matrix-shaped multi-icon 36, and still images 39 of the respective frame numbers of the video file. As shown in Fig. 8, the still images are arranged in a matrix form in the order of the time axis beginning with the leftmost top, and thus one still image file is formed. By using that still image file, the arranged still images are displayed in a predetermined position of the browsing window 11 as a matrix-shaped multi-icon 36. M still images 39 having respective frame numbers are arranged as shown in Fig. 8 to form one still image file. By representing the still image file as a multi-icon, the matrix-shaped multi-icon 36 is obtained. (See col. 9, line 64 through col. 10, line 14.)

However, Morita fails to disclose, at least, “a first display...a second display...wherein the first and second display appear on an image monitor of a digital camera,” as recited in claim 15.

Morita is distinguished from the invention in that Morita merely discloses a computer-based multi-media editing system capable of acting as a video disc recorder further capable of compressing moving images and voices, storing and reproducing the compressed moving images and voices, and a non-linear editing machine capable of editing moving images and voices taken into a storage device for video production. (See col. 1, lines 17-33.)

Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claim 15. Claims 16-17 depend from 15 and include all of the features recited therein. Applicants submit they are allowable at least by virtue of their dependency from allowable claim 15.

The outstanding Office Action further indicated that claims 19-21 are rejected under 35 USC §102(e) as being anticipated by US Patent No. 6,738,075 to Torres et al. (“Torres”). Applicants respectfully disagree and traverse this rejection.

Torres merely discloses a digital imaging device which allows the user to create an ordered group of images. The user navigates to a particular media object using a four-way control 200 and presses the “Mark” soft key 206a corresponding to the mark function indicated by soft key label 308a. In response, a mark number is displayed in the object cell 300 of the highlighted image 302, and the highlighted image 302 becomes a marked image. After the image is marked, the “Mark” soft key label 308a is updated to “Unmark”. The unmark function allows the user to remove an image from the group, which removes the mark number from the object cell 300 of the highlighted image. Furthermore, the user may create an ordered group of heterogeneous media objects by selecting a media object by positioning the highlighted area 302 over the object cell 300, or otherwise selects the object cell 300, using the four-way navigational control 200. The user then presses the function key corresponding to the “Mark” soft key label 308a. After the “Mark” soft key 206a is depressed, the object cell 300 is updated to display the number of images that have been marked during the current sequence. The object cell 300 may also be update the display in optional graphic, such as a dogear corner or a checkmark, for

example. After the object cell 300 has been updated, the “Mark” soft key in the command bar is updated to “Unmark”. (See col. 9, line 43 through col. 10, line 8.)

Moreover, Torres discloses allowing the user a slideshow, wherein each media object is played by playing each of the media types comprising the object. For example, a still image is played by displaying the image for a predefined time on the display screen 140 while playing any associated audio. Sequential images are played by displaying each still comprising the sequential image while playing any associated audio. Video segments are played as a conventional movie. A text-based object is played by displaying the text on display screen 140. A stand-alone audio clip is played by displaying a blank screen or the name of the clip while the audio is played through the digital video camera speakers. (See col. 7, line 65 through col. 12, line 9.)

However, Torres fails to disclose, at least, “a choosing device that chooses between image reproduction with the sound and image reproduction without the sound,” as recited in claims 19 and 21 (emphasis added).

Torres is distinguished by the present invention in that Torres merely discloses displaying whether an image or video file is associated with sound using an icon displayed in an icon/information area 304 (see Fig. 3; col. 7, lines 45-62; Fig. 4B). Torres is silent with respect to the feature allowing a user to turn audio off while an image is being displayed.

Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claims 19 and 21. Claim 20 depends from 19 and is allowable at least by virtue of its dependency from allowable claim 19.

***Claim Rejections – 35 USC §103***

The Office Action indicated that claims 4 and 12 are rejected under 35 USC 103(a) as being unpatentable over Torres in view of Morita. Applicants submit the Examiner has failed to establish a *prima facie* case of obviousness and traverse this rejection.

Torres is directed to a viewer and an editor for still and moving images. Torres discloses previewing a moving image currently being edited (e.g., preview pane 440), a user has to perform operations to preview the moving image by defining a clip by setting cues 438 (col. 13, lines 51-64).

However, Torres fails to teach or suggest, at least, “a second display that consecutively and repeatedly previews some frames of a moving image on the image monitor when the file selected by said selecting device contains image data of the moving image,” as recited in claims 4 and 12. Morita fails to cure the deficiencies of Torres in this respect.

Morita merely teaches a multi-media editing system which arranges still images in a matrix form in a browsing window 11 in a multi-icon display. By using this display method, it is possible to recognize the contents of each video file at a glance. Morita further teaches having each multi-icon displayed with a number of sheets in the longitudinal direction and another number of sheets in the lateral direction. (See col. 11, lines 46-56.) In other embodiments, Morita shows different arrangements of the multi-icon images, each of which are essentially still frames which comprise the video file. (Col. 11, line 57 through col. 12, line 18.)

However, neither Torres nor Morita, either alone or in combination, teach or suggest, at least, a “display ... frames of the moving image are being displayed consecutively and repeatedly ...,” as recited in claims 4 and 12. (Emphasis added.)

Morita is distinguished by the present invention in that Morita merely displays a static image separating out each frame associated with the video file as a separate static image. The user may select this static image for editing purposes (see Figs. 13-15; 14). In summary, neither Torres nor Morita disclose frames of a moving image as being displayed consecutively and repeatedly in an index display mode.

Accordingly, Applicants respectfully request the Examiner to withdraw the rejections to claims 4 and 12.

The Office Action indicated that claims 18 and 22 are rejected under 35 USC §103(a) as being unpatentable over Torres in view of US Patent No. 6,023,520 to Nagasaka et al. (“Nagasaka”). Applicants respectfully disagree and traverse this rejection.

Torres teaches an interactive digital multimedia device which allows the user to acquire and edit media objects and display them in a variety of forms.

However, Torres fails to teach, at least, “a first display that displays an image related to a moving image on the image monitor when the file selected by the selecting device contains image data of the moving image, wherein the image is presented in a dynamic manner,” as recited in claim 18, and “providing a first display mode which displays a portion of the moving image in a dynamic manner to indicate the file represents the moving image,” as recited in claim 22.

Nagasaka fails to cure the deficiencies of Torres in this respect. Nagasaka merely discloses methods and apparatus for displaying a representative image corresponding to shot of duration within a specified range included in a plurality of shots of the moving image. (See

abstract.) Specifically, Nagasaka discloses displaying representative images in a screen area as an icon corresponding to a detected shot of a short-time duration. The start time of the shot is displayed together below the icon 500. In addition, as shown in Fig. 5, the icon 500 is displayed as if several icons were stacked one on top of another, to represent the time duration of the video shot. Thus, the number of stacked icons represents the time duration of the shot, thereby making it possible for a user to readily understand how long the shot lasts. The icon 500 may be represented as a three-dimensional rectangular parallelepiped having a front face which displays the representative image, and the time duration of the shot may be represented as a thickness of the regular rectangular parallelepiped in the depth direction (col. 6, lines 27-43; Fig. 5).

Both Nagasaka and Torres are silent with respect to displaying icons which represent video image files in a dynamic manner.

Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claims 18 and 22.

### ***Conclusion***

In view of the above amendments and remarks, this application appears to be in condition for allowance and the Examiner is, therefore, requested to reexamine the application and pass the claims to issue.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at telephone number (703) 205-8000, which is located in the Washington, DC area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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